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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/331,226	06/18/1999	GEORG LOHR	03475-P0002A	1402

7590 02/09/2005  
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STAMFORD, CT 06905-5619

EXAMINER

JONES, STEPHEN E

ART UNIT	PAPER NUMBER
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2817

DATE MAILED: 02/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

AK

## Office Action Summary

Application No.

09/331,226

Applicant(s)

LOHR, GEORG

Examiner

Stephen E. Jones

Art Unit

2817

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 15 November 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-44 is/are pending in the application.
- 4a) Of the above claim(s) 2 and 24 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 3-18, 20-23, 25-32, 35, 36 and 41-44 is/are allowed.
- 6) ☒ Claim(s) 1, 33, 37, 38 and 40 is/are rejected.
- 7) ☒ Claim(s) 19, 34 and 39 is/are objected to.
- 8) ☒ Claim(s) 1-44 are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 June 1999 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input checked="" type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                        | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Election/Restrictions***

1. Applicant's election without traverse of species II (Figs 1a and 6b) in the reply filed on 11/15/04 is acknowledged.
2. Claims 2 and 24 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 11/15/04.

### ***Specification***

3. The abstract of the disclosure is objected to because the abstract should be a single paragraph. Correction is required. See MPEP § 608.01(b).
4. The disclosure is objected to because of the following informalities:  
  
The first paragraph of the specification should include the continuing application information (e.g. see MPEP 201.11 (III) A.)  
  
Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:  
  
A person shall be entitled to a patent unless –  
  
(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
6. Claims 1, 33, 37, 38, and 40 are rejected under 35 U.S.C. 102(b) as being anticipated by Komatsu.

Komatsu (Figs. 10-11) teaches a rotary coupler including: capacitive non-contact coupling of electrical signals by means of a rotor (511) and stator (512) (i.e. moveable in relation with one part being fixed); the coupling parts are resonant lines (e.g. see Col. 6, lines 25-68, i.e. portions of wavelengths) for transmitting the signal; the system has terminations (524a, b) which eliminate reflections (Claims 1 and 37) (e.g. see Col. 6, lines 18-21); an oscillator is provided at the input which thus inherently facilitates some of the commencement of the oscillation of the circuit (see Fig. 11) (Claim 33); the two coupling parts (516a and b) are symmetrical (Claim 38); and the rotor (i.e. an activator unit since it is moveable) includes the coupling part (515) which moves in relation to the other coupling parts located on the stator (Claim 40).

***Allowable Subject Matter***

7. Claims 19, 34, and 39 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

8. Claims 3-18, 20-23, 25-32, 35-36, and 41-44 are allowed.

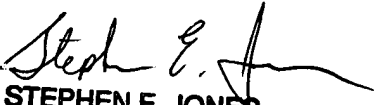
9. The following is a statement of reasons for the indication of allowable subject matter:

Regarding Claims 3-18, 20-23, 25-32, 35-36, and 41-44, the prior art of record does not teach the claimed invention including that the resonant system has a resonance frequency higher than a highest frequency of the signals transmitted.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen E. Jones whose telephone number is 571-272-1762. The examiner can normally be reached on Monday through Friday from 8 AM to 4 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert J. Pascal can be reached on 571-272-1769. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
**STEPHEN E. JONES**  
**PRIMARY EXAMINER**

SEJ